

AMENDED IN SENATE APRIL 25, 2005

**SENATE BILL**

**No. 635**

**Introduced by Senator Alarcon**

February 22, 2005

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~~An act to add Article 2.5 (commencing with Section 32315) to Chapter 3 of Part 19 of the Education Code, relating to public postsecondary education. An act relating to pupils, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 635, as amended, Alarcon. ~~Public postsecondary education: education empowerment zones.~~ *Advancement Via Individual Determination (AVID) program.*

*The existing Budget Act of 2004, appropriates \$9,035,000 for the Advancement Via Individual Determination (AVID) program to provide training to teachers and school leaders and assistance to schools in implementing the program to help pupils who might not otherwise attend college prepare for, and be successful in college.*

*This bill would appropriate \$10,000,000 from the General Fund to the State Department of Education for the support of the program. The bill would require \$4,100,000 to be expended to restore funding to the program and targeted to secondary schools that rank in the 1st to 5th deciles on the Academic Performance Index and \$5,900,000 to be expended to augment funding for the program and targeted to secondary schools that rank in the 1st to 5th deciles on the Academic Performance Index. The bill would make these amounts applicable toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.*

~~Existing law establishes the public postsecondary education system of the state, which consists of 3 segments: the University of California, which is administered by the Regents of the University of California; the California State University, which is administered by the Trustees of the California State University; and the California Community Colleges, which is administered by the Board of Governors of the California Community Colleges.~~

~~This bill would require the Trustees of the California State University, the Board of Governors of the California Community Colleges, the Student Aid Commission, the Superintendent of Public Instruction, and the Secretary for Education, and would request the Regents of the University of California, to jointly establish the Education Empowerment Zone Authority.~~

~~The bill would authorize the authority to designate various areas around the state as education empowerment zones. The bill would also authorize the designation of these zones by a joint task force that the educational entities listed above would be authorized to establish.~~

~~The bill would specify the criteria for the establishment of these zones, and would require the authority to establish education empowerment zones in prescribed areas of the state.~~

~~The bill would authorize the regents to grant preferences in undergraduate, graduate, and professional school admissions, to the full extent permitted by the United States and California Constitutions, to pupils and graduates of schools located in education empowerment zones. The bill would authorize the trustees to use existing retention and graduation programs to ensure that students from education empowerment zones who attend institutions within the California State University system remain in good standing and graduate in a timely manner.~~

~~The bill would authorize the authority, as well as the educational entities that are required under the bill to establish the authority, to work with school districts, community college districts, county offices of education, cities, counties, and other local governmental entities for the purposes of the bill.~~

~~Vote: majority. Appropriation: no-yes. Fiscal committee: yes. State-mandated local program: no.~~

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. Article 2.5 (commencing with Section 32315) is~~  
2     ~~added to Chapter 3 of Part 19 of the Education Code, to read:~~

3     ~~SECTION 1. The Legislature finds and declare all of the~~  
4     ~~following:~~

5     ~~(a) Eleven percent of the pupils in the first to fifth deciles on~~  
6     ~~the Academic Performance Index are African-American and 69~~  
7     ~~percent are Latino.~~

8     ~~(b) Funding for the Advancement Via Individual~~  
9     ~~Determination (AVID) program that has been, or is proposed to~~  
10    ~~be, reduced should be restored and targeted to secondary~~  
11    ~~schools that rank in the first to fifth deciles on the Academic~~  
12    ~~Performance Index. Restoration of this funding will allow the~~  
13    ~~state to reach an estimated additional 30,000 pupils in 300~~  
14    ~~secondary schools with proven strategies to help high school~~  
15    ~~pupils pass the California High School Exit Exam (CAHSEE)~~  
16    ~~and take Advanced Placement (AP) courses, which will make~~  
17    ~~those pupils competitive for admission to the state's colleges and~~  
18    ~~universities.~~

19    ~~(c) Funding for the AVID program should be augmented and~~  
20    ~~targeted to secondary schools that rank in the 1st to 5th deciles~~  
21    ~~on the Academic Performance Index. Augmenting the funding for~~  
22    ~~the AVID program is the most cost-effective way to reach an~~  
23    ~~estimated additional 90,000 low-income, disadvantaged pupils in~~  
24    ~~900 of the neediest secondary schools and would dramatically~~  
25    ~~increase the number of underrepresented pupils eligible for, and~~  
26    ~~attending, the University of California and the California State~~  
27    ~~University.~~

28    ~~SEC. 2. The sum of ten million dollars (\$10,000,000) is~~  
29    ~~hereby appropriated from the General Fund to the State~~  
30    ~~Department of Education for the support of the Advancement Via~~  
31    ~~Individual Determination (AVID) program for expenditure as~~  
32    ~~follows:~~

33    ~~(a) The sum of four million one hundred thousand dollars~~  
34    ~~(\$4,100,000) shall be expended to restore funding to the AVID~~  
35    ~~program and targeted to secondary schools that rank in the 1st to~~  
36    ~~5th deciles on the Academic Performance Index.~~

37    ~~(b) The sum of five million nine hundred thousand dollars~~  
38    ~~(\$5,900,000) shall be expended to augment funding for the AVID~~

1 *program and targeted to secondary schools that rank in the 1st to*  
2 *5th deciles on the Academic Performance Index.*

3 *SEC. 3. For the purposes of making computations required by*  
4 *Section 8 of Article XVI of the California Constitution, the*  
5 *appropriation made by this act shall be deemed to be “General*  
6 *Fund revenues appropriated to school districts,” as defined in*  
7 *subdivision (c) of Section 41202 of the Education Code for the*  
8 *2005-06 fiscal year and be included within the “total allocations*  
9 *to school districts and community college districts from General*  
10 *Fund proceeds of taxes appropriated pursuant to Article XIII B,”*  
11 *as defined in subdivision (e) of Section 41202 of the Education*  
12 *Code for the 2005-06 fiscal year.*

13 ~~Article 2.5. Education Empowerment Zones~~

14  
15 ~~32315. It is the intent of the Legislature to accomplish both of~~  
16 ~~the following:~~

17 ~~(a) To increase the economic development of all communities~~  
18 ~~through more focused educational investment.~~

19 ~~(b) In order to achieve the goal set forth in subdivision (a), to~~  
20 ~~authorize the establishment of education empowerment zones:~~

21 ~~32315.3. (a) An education empowerment zone established~~  
22 ~~under this article shall have each of the following functions:~~

23 ~~(1) Improvement of economic development within the zone.~~

24 ~~(2) Closing the education achievement gap of pupils from~~  
25 ~~schools within the zone.~~

26 ~~(3) Increasing the graduation rates of pupils from high schools~~  
27 ~~within the zone.~~

28 ~~(4) Increasing the education and training level of pupils from~~  
29 ~~high schools within the zone.~~

30 ~~(5) Attracting businesses to invest in schools located within~~  
31 ~~the zone.~~

32 ~~(6) Increasing the University of California and California State~~  
33 ~~University admission rates for students within the zone.~~

34 ~~(7) Attracting qualified teachers to the zone, focusing on~~  
35 ~~mathematics and science teachers.~~

36 ~~(8) Building partnerships focused on education and economic~~  
37 ~~development.~~

38 ~~(b) The Trustees of the California State University, the Board~~  
39 ~~of Governors of the California Community Colleges, the Student~~  
40 ~~Aid Commission, the Superintendent of Public Instruction, and~~

1 Secretary for Education shall, and the Regents of the University  
2 of California are requested to, either through the establishment of  
3 a joint task force or acting collaboratively through their  
4 participation in the Education Empowerment Zone Authority,  
5 designate various areas around the state as education  
6 empowerment zones.

7 32315.5. (a) The Trustees of the California State University,  
8 the Board of Governors of the California Community Colleges,  
9 the Student Aid Commission, the Superintendent of Public  
10 Instruction, and Secretary for Education shall, and the Regents of  
11 the University of California are requested to, jointly establish the  
12 Education Empowerment Zone Authority.

13 (b) The authority shall apply all of the following criteria when  
14 designating an area as an education empowerment zone:

15 (1) Each zone shall include at least two public high schools  
16 and at least three public middle or junior high schools.

17 (2) The public high schools in each zone shall have graduation  
18 rates of less than 50 percent.

19 (3) More than 50 percent of the pupils in the public schools of  
20 each zone shall be eligible for free or reduced price lunch  
21 programs.

22 (4) The rate of the participation of the graduates of each of the  
23 zone's public high schools with respect to either postsecondary  
24 career technical training programs or four-year public  
25 postsecondary institutions shall be below the state average.

26 (5) As determined by the Department of Finance, the  
27 unemployment rate within the zone exceeds the statewide  
28 unemployment rate.

29 (6) As determined by the Department of Justice, the level of  
30 criminal activity within the zone exceeds the statewide level of  
31 criminal activity.

32 (c) The authority shall ensure that, at a minimum, education  
33 empowerment zones are established in each of the following  
34 areas of the state:

35 (1) The Central Valley.

36 (2) The Imperial Valley.

37 (3) The County of Los Angeles.

38 (4) The San Francisco Bay Area.

39 (5) Northern California, excluding the San Francisco Bay  
40 Area.

1     ~~(6) The eastern slope of the Sierra Nevada Mountains.~~

2     ~~(d) The governing body or executive officer of a school~~  
3 ~~district, county office of education, community college district,~~  
4 ~~city, county, city and county, or any other local governmental~~  
5 ~~entity may nominate to the authority an area or areas for~~  
6 ~~consideration for designation as an education empowerment~~  
7 ~~zone.~~

8     32315.7. (a) Notwithstanding any other provision of law:

9     ~~(1) The Regents of the University of California may, to the full~~  
10 ~~extent permitted by pertinent provisions of the United States and~~  
11 ~~California Constitutions, grant preference in undergraduate,~~  
12 ~~graduate, and professional school admissions to a pupil or~~  
13 ~~graduate of a public or private high school located within an~~  
14 ~~education empowerment zone.~~

15     ~~(2) The Regents of the University of California may, to the~~  
16 ~~extent permitted by pertinent provisions of the United States and~~  
17 ~~California Constitutions, guarantee admission to any pupil or~~  
18 ~~graduate of a public high school located within an education~~  
19 ~~empowerment zone who graduates, or has graduated, in the top 9~~  
20 ~~percent of his or her graduating class.~~

21     ~~(3) The Trustees of the California State University (CSU) may~~  
22 ~~use existing retention and graduation programs to ensure that~~  
23 ~~students from education empowerment zones who attend~~  
24 ~~institutions within the CSU system remain in good standing and~~  
25 ~~graduate in a timely manner.~~

26     ~~(4) The Regents of the University of California, the Trustees~~  
27 ~~of the California State University, the Board of Governors of the~~  
28 ~~California Community Colleges, the Superintendent of Public~~  
29 ~~Instruction, the Secretary for Education, and the governing~~  
30 ~~bodies or executive officers of school districts, community~~  
31 ~~college districts, and county offices of education are authorized~~  
32 ~~to collaborate on academic enrichment, retention, and graduation~~  
33 ~~programs to ensure that the goals of this article are met.~~

34     ~~(b) The authority may work with school districts, community~~  
35 ~~college districts, county offices of education, cities, counties, a~~  
36 ~~city and county, or any other local governmental entities to~~  
37 ~~ensure that the goals of this article are met.~~